Applicant: Moungi G. Bawendi et al. Attorney's Docket No.: 14952.0273 D1 / MIT Case 7772 DIV

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REMARKS

Claims 97-98 and 131-132 have been cancelled without prejudice. Claims 69-77, 96, 99-114, 118-130, and 133 are pending. Applicants thank the Examiner for indicating that claims 98, 99, 132 and 133 would be allowable. Claims 69 and 109 have been amended. Support for the amendment can be found, for example, in previously presented claims 98 and 132. No new matter has been added.

Rejection under 35 U.S.C. § 102(e)

Claims 69-77, 96, 101, 104, 109-114, 119, 122, and 127-130 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Nos. 5,990,749 or 6,423,551. See the Office Action at page 2. Claims 69 and 109 are independent.

While Applicants do not believe that claims 69-77, 96, 101, 104, 109-114, 119, 122, and 127-130 are unpatentable over the cited references, the independent claims have been amended in accord with the Examiner's observation that claims 98 and 132 are allowable "if rewritten in independent form including all of the limitations of the base claim and any intervening claims." See the Office Action at page 4, and see claims 69 and 109. Claims 97-98 and 131-131 have been cancelled. Claims 99 and 133 have been amended to depend from the independent claims. Applicants reserve the right to pursue claims of different scope in future continuation applications.

Applicants believe the amendments put the independent claims in condition for allowance. Since independent claims 69 and 109 are allowable, Applicants believe claims 70-77, 96, and 99-108 that depend from claim 69, and claims 110-114, 118-130, and 133 that depend from claim 109 are also allowable. Applicants respectfully ask that the rejection under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

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CONCLUSION

Applicants respectfully ask that all claims be allowed. Please apply any charges or credits to deposit account 19-4293.

Respectfully submitted,

Date: 5-12-04

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